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The Paulett Family





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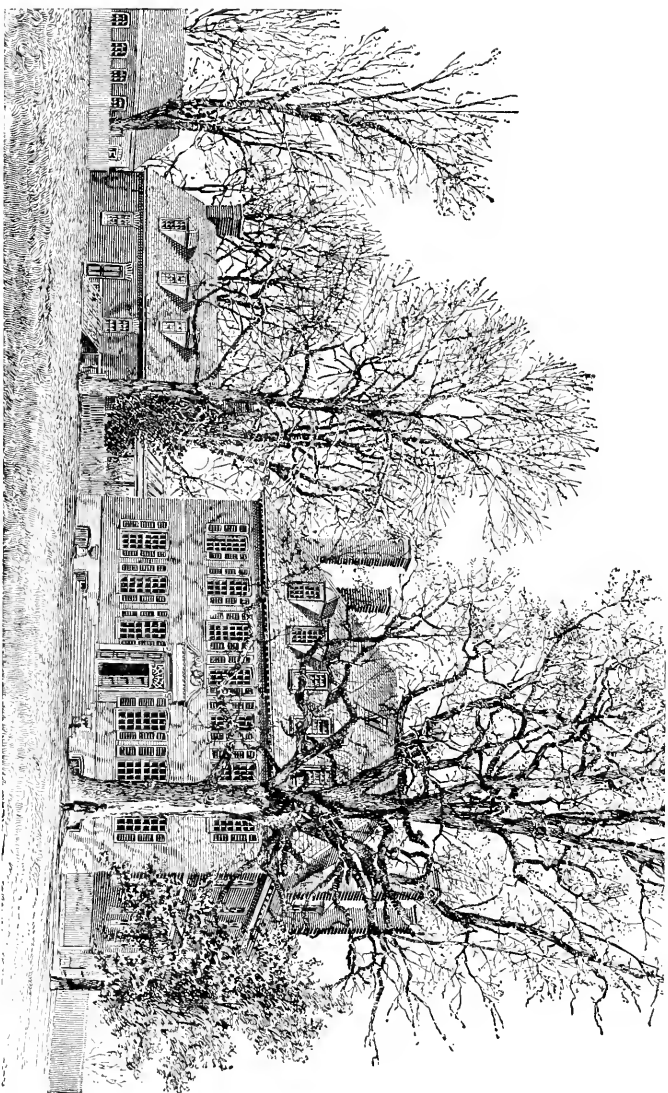
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From JOHN W. PAULETT.
ASS'T. STATE SUPT. PUBLIC SCHOOLS,
NASHVILLE, - TENN.

Pages 13 & 14.



JOHN W. PAULETT.



WESTOVER.

A famous old place on James River, in Virginia, which dates back to 1623. The history of Westover is given in the January, 1896, number of *The American Historical Magazine*, published at Nashville, Tenn., and edited by Prof. W. R. Garrett, of the Peabody Normal College. Westover is an attractive place, and is largely visited by strangers. It was first owned by the Paullett family. From this family is descended John W. Paullett, now a citizen of Nashville, Tenn.

1619 - 1701 - 1776 - 1787 - 1791 - 1796 - 1800 - 1801 - 1802 - 1803 - 1804 - 1805 - 1806 - 1807 - 1808 - 1809 - 1810 - 1811 - 1812 - 1813 - 1814 - 1815 - 1816 - 1817 - 1818 - 1819 - 1820 - 1821 - 1822 - 1823 - 1824 - 1825 - 1826 - 1827 - 1828 - 1829 - 1830 - 1831 - 1832 - 1833 - 1834 - 1835 - 1836 - 1837 - 1838 - 1839 - 1840 - 1841 - 1842 - 1843 - 1844 - 1845 - 1846 - 1847 - 1848 - 1849 - 1850 - 1851 - 1852 - 1853 - 1854 - 1855 - 1856 - 1857 - 1858 - 1859 - 1860 - 1861 - 1862 - 1863 - 1864 - 1865 - 1866 - 1867 - 1868 - 1869 - 1870 - 1871 - 1872 - 1873 - 1874 - 1875 - 1876 - 1877 - 1878 - 1879 - 1880 - 1881 - 1882 - 1883 - 1884 - 1885 - 1886 - 1887 - 1888 - 1889 - 1890 - 1891 - 1892 - 1893 - 1894 - 1895 - 1896 - 1897 - 1898 - 1899 - 1900 - 1901 - 1902 - 1903 - 1904 - 1905 - 1906 - 1907 - 1908 - 1909 - 1910 - 1911 - 1912 - 1913 - 1914 - 1915 - 1916 - 1917 - 1918 - 1919 - 1920 - 1921 - 1922 - 1923 - 1924 - 1925 - 1926 - 1927 - 1928 - 1929 - 1930 - 1931 - 1932 - 1933 - 1934 - 1935 - 1936 - 1937 - 1938 - 1939 - 1940 - 1941 - 1942 - 1943 - 1944 - 1945 - 1946 - 1947 - 1948 - 1949 - 1950 - 1951 - 1952 - 1953 - 1954 - 1955 - 1956 - 1957 - 1958 - 1959 - 1960 - 1961 - 1962 - 1963 - 1964 - 1965 - 1966 - 1967 - 1968 - 1969 - 1970 - 1971 - 1972 - 1973 - 1974 - 1975 - 1976 - 1977 - 1978 - 1979 - 1980 - 1981 - 1982 - 1983 - 1984 - 1985 - 1986 - 1987 - 1988 - 1989 - 1990 - 1991 - 1992 - 1993 - 1994 - 1995 - 1996 - 1997 - 1998 - 1999 - 2000 - 2001 - 2002 - 2003 - 2004 - 2005 - 2006 - 2007 - 2008 - 2009 - 2010 - 2011 - 2012 - 2013 - 2014 - 2015 - 2016 - 2017 - 2018 - 2019 - 2020 - 2021 - 2022 - 2023 - 2024 - 2025

The Father of Representative Government in America.

IT is not the purpose of this article to set forth any new discovery, nor to present any reflections which are especially startling or original.

The purpose is, to emphasize a neglected fact of American history; a fact attested by ancient records, narrated in historical works, and familiar to historians; yet a fact the full significance of which is not generally recognized.

On the 30th day of July, 1619, the first Legislative Assembly in America convened at Jamestown, Virginia.

This Assembly marked the first victory of popular rights in the Western Hemisphere, and was in some respects, the most remarkable Assembly that ever convened. It was not only the beacon light of freedom in America, but it also exercised an important reflex influence on the constitution of England, and is entitled to be included among the decisive events of history.

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The facts connected with this important event have been sketched by Bancroft, Cooke, and other historians, but they have not taken the hold which they deserve upon the popular heart, and are not treasured, as they should be, in the memory of every American.

The most graphic picture which has been painted of this Assembly and its members will be found in *The Virginia Magazine of History* for July, 1894. In this magazine is given the address delivered before the Virginia Historical Society by Hon. William Wirt Henry, to whose researches I am indebted for many of the facts narrated in this paper, and from whose graphic description, I have obtained permission to quote several extracts.

This Assembly was not so much a victory in itself, as it was the reward or first fruits of a victory already achieved. The battle for representative government in Virginia had been waged since the foundation of the Colony. The battle-field had been transferred from Jamestown to London, and the Council Chamber of the Virginia Company of London was the scene of the conflict. The victory was won, not by the sword, but by

peaceful and manly resistance to oppression, and by appeal to justice and reason.

Had it been won by force of arms, and lighted up by the glare of war, it would have occupied a more dramatic place in history, and possibly its incidents would have been depicted in more glowing colors on the imagination and memory of posterity; yet its beneficial effects would, perhaps, have been lessened.

This was a victory of peace, and like the victories of peace, was far-reaching and creative in results, rather than resplendent in imagery.

Clearly to understand the contest which culminated in this peaceful victory of liberty, let us glance briefly at the previous condition of the Colony. When Virginia was settled in 1607, the colonists brought with them the civilization, the customs, and the instincts of Englishmen. They claimed, also, by charter, the rights of Englishmen; yet, the most valuable of these rights, the right of self-government, was denied them for twelve years. This right, however, can not long be withheld from any people of Anglo-Saxon blood. It was first won by Virginia simply for the reason that Virginia was the first settled colony. It

would have been won by Massachusetts, though perhaps in a different form, had Massachusetts been first settled. But the Pilgrims did not land at Plymouth Rock until more than one year after Virginia had won the first battle of freedom in America, and had paved the way for according representative government to the future colonies of England.

As soon as the colonists began to feel that their residence in America was permanent, they began to grow restive under the system of government which placed them under the absolute control of King James I. Finding the Colony a source of annoyance rather than profit, James I. in 1609, issued a second charter, nominally yielding to the requests and petitions of the "Virginia Company of Adventurers," the right of self-government.

This charter transferred to the Company the powers which had heretofore been reserved to the King. The colonists hailed this charter as a triumph, and flattered themselves that they had secured self-government. They soon found, however, that the powers of government were intercepted at London, and they had secured only a change of masters.

The Virginia Company of London consisted of a treasurer, who was, *ex-officio*, the presiding officer, and who would be styled in modern organizations, "The President,"; a council, who would now be called a "Board of Directors"; and a large number of "*subscribers*," or stockholders. It was this commercial company to which James I. granted the power to control America.

It is needless to recite that the colonists grew more and more dissatisfied with a system by which laws for their government were made without their knowledge or consent, and were administered by a governor, a council and other officers who were often the agents of tyranny and oppression. The demand for self-government first took the form of muttered discontent; growing stronger and better organized, it assumed the bolder form of petition for the redress of grievances. Those who know the Anglo-Saxon race, know that this is the precursor of revolution.

Fortunately for the colonists, they found, at this juncture, among the rulers placed over them by the London Company, a steadfast and influential friend, whose heart beat in sympathy with popular rights, and who was destined in a few years

to be the instrument for establishing representative government in America.

Capt. George Yardley* came to Virginia on the ship, "Deliverance," in 1609. "He was," says a distinguished writer, "a man of wealth and of well deserved influence." He was descended from a Staffordshire family, known as the "Lords of Yardley." One of his ancestors was a witness to the signature of King John to the first Magna Charta, June 15, 1215. Capt. George Yardley was a subscriber, or stockholder in the London Company. He had served with distinction in Holland, in the war against Spain. A contemporary said of him, that he was "a soldier truly bred in the University of War in the Low Countries." He served as President of the Colonial Council until 1616, about which time he was married to Temperance West. In this year, Governor Sir Thomas Dale, departing for England in company with John Rolfe and his wife Pocahontas, left Capt. Yardley as Deputy Governor. He was thus enabled by actual residence, and by official relations with the colonists, to form a just estimate of their needs, and a true conception of their

* See Genealogical Notes.

rights. His character and modes of thought made him the friend and supporter of popular rights at the time when the colonists needed a judicious and faithful friend.

The storm was even then brewing among the commons of England which was destined in the next reign to deluge the island in blood, and to bring a king to the scaffold. The English people were beginning to mutter against royal prerogatives, and they listened with sympathy to the complaints of the colonists.

The Virginia Company was divided into two factions. The ruling party, known as the Court party was led by the President, or Treasurer, Sir Thomas Smith. This party looked upon the colonists as servants of the Company, employed to do its bidding, as entitled to no political rights, and as instruments to be used for the pecuniary benefit of the Company and its officers. It was, therefore, the policy of this party to govern the Colony by rigid regulations, and to permit the colonists no voice in the control of affairs.

The continued complaints of the colonists, and the evident justice of their cause, had aroused the sympathy of the more liberal members, and had

brought to their aid a few powerful friends who looked beyond the grievances of the colonists to the effect which the assertion of Virginia rights would produce on public sentiment in England. In addition to this the mismanagement of the Company's affairs by the Court party, and the tyranny of its agents had injured the value of the Company's property, had retarded and almost stopped immigration, and was beginning to drive many immigrants back to England.

A strong party known as the Virginia party was formed within the London Company, at the head of which were Shakespeare's friend, the Earl of Southampton, Sir Edwin Sandys, and Mr. Nicolas Ferrar.

It is not surprising that the principles and qualities which made Yardley beloved by the colonists, made him distasteful to the President of the London Company, and to the Court party. Capt. Samuel Argall, a relative of President Smith, and his commercial agent, was appointed to supersede "the mild and popular Yardley." This action was received by the colonists as a public calamity, and their indignation was freely expressed. In the end, however, it was fortunate for their interests.

The tyranny and rapacity of Argall soon became notorious, and hastened the overthrow of the Court party.

Yardley repaired to London, and presented to the Company the condition of affairs in the Colony. The cause of reform was warmly espoused by Sir Edwin Sandys, the Earl of Southampton, and other leaders of the Virginia party. A severe conflict ensued within the Company, which was eagerly watched by the people of England. The meetings of the Company were thronged with visitors. The Virginia remonstrances and the debates at the sessions of the Company became the theme of conversation in all parts of England.

When the matter came to a vote, the Court party was completely overthrown. The colonial policy was radically changed. Argall was recalled. The right of local self-government was accorded to Virginia. Capt. George Yardley was elected Governor-General of the Colony. A little later, Sir Thomas Smith was forced to resign with damage to his reputation, and Sir Edwin Sandys was elected President, or Treasurer.

A remarkable circumstance connected with these proceedings is the fact that they received

the assent of the suspicious tyrant, James I. Gondomar, the Spanish minister, warned him: "The Virginia Courts are but a seminary for a seditious Parliament." Many contemporaneous expressions show that the reflex influence which this Virginia House of Burgesses would exert upon the institutions of England was foreseen by the thinkers of that day.

In addition to this, James was personally favorable to the Court party, and disliked the leaders of the Virginia party. He especially detested Sir Edwin Sandys, and is reported to have said; "Elect the devil if you will, but not Sir Edwin Sandys." Yet the effect of these measures so far escaped the microscopic vision of the cunning tyrant, that he not only assented to the new policy, but even gave it a *quasi* approval.

He sent for Capt. Yardley, the Governor-elect, received him graciously, admitted him to a lengthy interview, and finally as a signal mark of the favor of the sovereign, conferred on him the honor of knighthood, November 22, 1618.

A great victory had been achieved when Sir George Yardley, successful in his mission, honored by the London Company, favored by his

sovereign, and secure of the love of the colonists, sailed from England, January 29, 1619, bearing his commission and instructions to confer on Virginia the right of local self-government.

After reaching Jamestown, he entered upon the duties of his office as Governor-General, April 19, 1619.

“From the moment of Yardley’s arrival,” says Bancroft, “dates the real life of the Colony. He made proclamation ‘that those cruell lawes, by which the ancient planters had been soe longe governed, were now abrogated, and that they were to be governed by those free lawes, which his majesties subjectes lived under in Englande.’ Nor were these concessions left dependent on the good will of administrative officers. ‘That the planters might have a hande in the governinge of themselves, yt was graunted that a Generall Assemblie shoulde be held yearly once, whereat were to be present the Governor and Counsell, with two Burgesses from each plantation, freely to be elected by the inhabitantes thereof, this Assemblie to have power to make and ordaine whatsoever lawes and orders shoulde by them be thought good and proffitable for their subsistence;’”

Early in June, Sir George Yardley "sente his summons all over the country, as well to invite those of the Counsell of Estate that were absente, as also for the election of the Burgesses."

Then came the first general election. Let us picture in imagination the pride and pleasure with which our ancestors assembled in their respective precincts to elect their first representatives. There were some old English prejudices, but no organized parties. Possibly, there may have been some artful dodging of issues, but this had not been reduced to the science of a party platform. There were no political bosses, no election machinery, no ballot boxes. Proud of the exercise of the elective franchise, the colonists voted, as freemen should be proud to vote, *viva voce*.

From each of the eleven boroughs, or hundreds, or plantations, two delegates, called Burgesses, were elected. These names should live in the history of all Americans, for this Assembly represented all of the English race then in America. I quote their names from the lists given by Mr. Henry, as follows:

For James City: Captain William Powell, and Ensign Wm. Spence.

For Charles City: Samuel Sharp, and Samuel Jordan.

For the City of Henricus, (Dutch Gap): Thomas Dowse and John Polentine.

For Kiccowtan, (Hampton): Capt. William Tucker, and William Capp.

For Smythe's Hundred: Capt. Thomas Graves, and Walter Shelley.

For Martin's Hundred: John Boys and John Jackson.

For Argall's Guifte: Capt. Thomas Pawlett, and Mr. Gourgaing.

For Flouer dieu Hundred: Ensign Rosingham, and Mr. Jefferson.

For Lawn's Plantation, (Isle of Wight): Capt. Christopher Lawne and Ensign Washer.

For Ward's Plantation: Capt. Warde, and Lieut. Gibbs.

For Martin's Plantation: Thos. Davis and Robert Stacey.

Many of these names will be recognized as household words. Among them, many deserve comment, but the limits of this paper will permit mention of only one.

The name of Capt. Thomas Pawlett is con-

spicuous in Virginia history. He was a brother of Robert Paulett, who was appointed one of the Councillors of Virginia, but declined the office, and also of Lord John Powlett. The name was spelled in three different ways, and the three brothers seemed to have adopted three different modes of spelling it. In 1623, Capt. Thomas Pawlett received a grant for the famous estate of Westover, on James River, which was bequeathed at his death to his brother, Lord John Powlett, and which subsequently became the property of Col. William Byrd, the author of the Dividing Line. From this family is descended Maj. John W. Paulett, now a citizen of Nashville, Tennessee.

On the 30th day of July, 1619, the Burgesses assembled at Jamestown, and representative government in America was an accomplished fact.

Let us use our imagination to depict the scene in which these actors with simplicity unaffected, and with grandeur all unconscious, shaped intuitively and accurately the model of American Legislation.

Says Mr. Henry: "On the memorable morning of the 30th of July, 1619, the Governor went in state to the church. He was accompanied by

the Councillors and officers of the Colony, with a guard of Halberdiers dressed in the Governor's livery. Behind them walked with becoming dignity, the twenty-two newly-elected Burgesses."

"In the contemporaneous account sent to England by the Speaker we are told: 'The most convenient place we could find to sit in was the Quire of the Church, where Sir George Yardley, the Governor, being set down in his accustomed place, those of the Counsell of Estate sate nexte him on both handes, except only the Secretary, then appointed Speaker, who sate right before him. John Twine, Clerke of the General Assembly, being placed nexte to the Speaker, and Thomas Pierse, the Sergeant, standing at the barre, to be ready for any service the Assembly should command him. But forasmuche as men's affaires doe little prosper where God's service is neglected, all the Burgesses took their places in the Quire till a prayer was said by Mr. Bucke, the minister, that it would please God to guide and sanctifie all our proceedings to his owne glory, and the good of this plantation. Prayer being ended, to the intente that as we had begun at God Almighty, so we might proceed with awful and

due respecte towards the Lieutenant, our most gracious and dread soveraigne, all the Burgesses were entreated to retyre themselves into the body of the Churche, which being done, before they were freely admitted, they were called to order and by name, and so every man (none staggering at it) tooke the oath of Supremacy, and then entered the Assembly.”

Let us glance at the Councillors, who sat on either side of Governor Yardley. Says Mr. Henry: “They were all Englishmen of high type, and following ancient customs, they sat with their hats on. * * *

“Among them was Sir Francis West, the son of Sir Thomas West, the second Lord De La Warr. He was subsequently to become Governor of Virginia. He was a direct descendant of William the Conqueror.

“Captain Nathaniel Powell had come to Virginia with the first colonists; had been with Newport when he explored York River, and with Smith when he explored Chesapeake Bay. He was a man of culture, and kept an account of occurrences in the Colony, which had been freely used by Capt. Smith in his history of Virginia.

“John Rolfe had come to Virginia with Sir Thomas Gates. In 1612, he introduced the systematic culture of tobacco in Virginia. In 1614, he had married the Princess Pocahontas, whom he carried to England in 1616.

The Rev. William Wickham was of a prominent family. He added the dignity of the clergy to the Assembly in which he sat.

“Captain Samuel Maycock was a Cambridge scholar, and a gentleman of birth, virtue, and industry.

“John Pory, Secretary of the Colony, sat as the Speaker of the Burgesses. He had been educated at Cambridge, and was an accomplished scholar. He was a disciple of the celebrated Hackluyt, who left the highest testimonials to his learning. Having served in Parliament, he was able to give order to their proceedings, and proper form to their acts.

“The Rev. Richard Bucke, the officiating minister was educated at Oxford, and was an able and learned divine. He married in Virginia, was the minister at Jamestown, where in 1614, he performed the marriage ceremony between Rolfe and the Indian Princess Pocahontas. The

church in which the Assembly met had been built for him, wholly at the charge of the inhabitants of James City.”

The first act of the Burgesses was to purge their roll. They excluded the two Burgesses from Martin’s plantation on the ground that this plantation, by the terms of its patent, was exempt from the general form of government prescribed for the Colony, and they petitioned the London Company to amend the patent, so that there might be no grant whereby “the uniformity and equality of lawes and orders extending over the whole Colony might be impeached.” Says Mr. Henry: “Thus early did Virginia insist upon the equality of her citizens before the law, a principle re-asserted in her Declaration of Right, in 1776, when she became a State.”

The next step was to call upon the Speaker to read the commission creating the Assembly.

“He read unto them the commission for establishing the Counsell of Estate and the General Assembly, wherein their duties were described to the life. Having thus prepared them, he read over unto them the great Charter or commission of priviledges, orders, and lawes, sent by Sir

George Yardley, out of England." The next step was to appoint committees. The Assembly was then ready for business.

They adjourned at the end of five days, having transacted a greater amount of business, more novel in character, and more far-reaching in effects, than has, perhaps, ever been transacted by any subsequent Legislature in the same length of time.

Let us examine some of the features which this remarkable Assembly, with no precedent or guide, except the experience of their Speaker as a member of Parliament, has, spontaneously and permanently stamped upon the organization of legislative assemblies and the forms of American legislation.

1. The organization, Speaker, Clerk, Sergeant-at-Arms.
2. The opening with prayer.
3. The swearing in of members.
4. Purging the roll.
5. The appointment of committees.

It is to be regretted that the example of the rapid dispatch of business, which was so conspicuously set by this model Assembly, has not likewise descended to posterity. In noting the pro-

ceedings, one remarkable fact strikes the reader, viz: Matters referred to the committees were usually reported the next day.

Six petitions were sent by the Assembly to the London Company. These related, for the most part, to the allotment, tenure and descent of lands, and to regulations for immigration. One petition deserves especial notice, being the first movement in favor of education in America. The Company is entreated, that "towards the erecting of the university and college, they will sende, when they shall think it most convenient, workmen of all sortes, fit for the purpose." The plans for the establishment of the "university and college" were frustrated by the Indian massacre of 1622, but the effort many years later culminated in the establishment of William and Mary College.

Next, came the report of the committee to whom had been referred "the great Charter of lawes, orders, and priviledges," brought by Sir George Yardley. This committee had been cautiously instructed to report whether it contained anything "not perfectly squaring with the State of the Colony, or any law pressing or binding too

held, because this great Charter is to bind us and our heirs forever." After receiving the report, "there remaining no further scruple in the mindes of the Assembly touching the great Charter of lawes, orders, and priviledges, the Speaker putt the same to question, and so it hath the general assent and applause of the whole Assembly."

Then followed a number of laws of both public and private nature, relating to taxation, agriculture, religion, crimes, misdemeanors, intercourse with the Indians, and many other matters. The Assembly then sat as a criminal court.

It would be interesting, did not the limits of this paper prohibit, to note the quaintness of some of these laws, as well as the shrewdness and sagacity of this primitive legislation.

I can not forbear to mention three acts which bear witness to the foresight of these legislators, and the original character of the statutes which they crowded into their five days' session. (1) They passed a law to provide for taking a census of the inhabitants, this being the first legislation for a census. (2) They passed laws for recording births, marriages, and deaths. (3) They passed a law fixing the price of tobacco at three

shillings a pound for the best, and eighteen pence a pound "for the second sort."

The importance of this last provision will be apparent when it is remembered that tobacco was the currency of the country, and that fluctuations in its value affected our ancestors as disastrously as we are now affected by fluctuations in the relative value of gold and silver. The committee of this model Assembly, however, was able to report on the currency question in one day, and the Assembly solved the problem on the next. The intermeddling of the English government with the value of tobacco as a currency, at a later date, prompted by the supposed interests of English merchants, caused much discontent in the Colony, and gave rise to the famous Parson's Case, in which the eloquence of the "forest-born Demosthenes" first burst into flame.

The Assembly closed its labors with a petition to the London Company to amend the "Great Charter of lawes, orders, and priviledges" by confirming a grant which the charter merely held out as a promise for the future. I quote the words of the petition:

"Their last humble suite is, that the said

Counsell and Company would be pleased, so soon as they shall finde it convenient, to make good their promise sett down at the conclusion of their commission for establishing the Counsell of Estate and the Generall Assembly, namely, that they will give us power to allowe or disallowe of their orders of courts, as his Majesty hath given them power to allowe or reject our lawes.”

This petition has been styled “The First Declaration of Independence.” It is not, however, a declaration. It is a petition for independence. Its language is not defiant and assertive, like the famous declaration of 1776; yet, it evinces, in the weakness of infancy, the same spirit, which strengthened with the growth of the Colony; which, in 1676, blazed out in Bacon’s Rebellion; which found stern utterance in the resolutions of 1765:

“*Resolved*, That the General Assembly of this Colony have the sole right and power to lay taxes and impositions upon the inhabitants of this Colony; and that any attempt to vest such power in any person or persons, whatsoever, other than the General Assembly aforesaid, has a manifest tendency to destroy British, as well as American freedom.”

This sentiment found its grandest expression in the words spoken before a Virginia Convention, in 1775: "Give me liberty or give me death"—words second in sublimity only to the divine fiat, "Let there be light"; and which reached its culmination in 1776, when a Virginia delegate moved: "These united colonies are, and of right ought to be, free and independent States," and a Virginia statesman penned the immortal Declaration.

The limits of this paper will not permit me to trace in detail the subsequent history of those connected with this first Legislative Assembly in America. The petition of the House of Burgesses was granted by the London Company. On the 24th of July, 1621, the Company amended its previous liberal grants of power to the colonists by formulating a written constitution, embracing nearly all the features contained in the several petitions of the House of Burgesses, and especially the feature granting the Burgesses a veto on the orders of the Company. The following quotation from Bancroft sketches the provisions of this constitution:

"Its terms were few and simple; a Governor, to be appointed by the Company; a permanent

Council, likewise to be appointed by the Company ; a General Assembly, to be convened yearly and to consist of the members of the Council and of two Burgesses to be chosen from each of the several plantations by the respective inhabitants. The Assembly might exercise full legislative authority, a negative voice being reserved to the Governor ; but no law or ordinance would be valid unless ratified by the Company in England. It was further agreed that after government of the Colony should have once been framed, no orders from the Court in London should bind the Colony, unless they should in like manner be ratified by the General Assembly."

These concessions show the complete ascendancy of the Virginia party in the London Company. This liberal policy continued during the existence of the Company, but the time of reaction was at hand.

James I. began to awaken to the significance of these proceedings. He recalled the words of the Spanish minister, and repented of his acquiescence in the new colonial policy. The fever of a tyrant's hatred began to burn in his veins against the London Company. He called to his

councils the former President, Sir Thomas Smith, and the rapacious Capt. Samuel Argall, on the latter of whom he conferred the honor of knighthood. Lending a ready ear to these malcontents, he entered upon a crusade against the leaders of the Virginia party.

His active hostility forced Sir Edwin Sandys from office, and finally caused his imprisonment. George Sandys was elected by the Company to succeed his brother, Sir Edwin. Later, the office devolved upon the Earl of Southampton. Yardley was forced by ill health and the hostility of the King to decline re-election. At a meeting of the Company held January 29, 1621, the Earl of Southampton stated that "he had received advertisement of Sir George Yardley's importuning desire to relinquish his said office at the expiration of his said commission." He accordingly nominated Sir Francis Wyatt to succeed him. The Court took time to consider the matter, and at its next session elected Sir Francis Wyatt as Governor-General of Virginia.

The hostility of James, however, did not drive the Company from its liberal policy. They proceeded to enact the written constitution above

recited, and sent it to the Colony by the new governor, Sir Francis Wyatt. The persistence of the Company in this liberal policy so exasperated James that he demanded the surrender of the charter, to which demand the Company returned a dignified refusal. The King then proceeded by judicial process. On the 16th day of June, 1624, the Court of King's Bench, whose judges sat at the royal pleasure, pronounced judgment against the Company, and its Charter was declared "forfeited."

The dissolution of the London Company seriously endangered the liberties of Virginia. The Company had been an anomaly in government. It had been an intermediate link between the King and the Colony. Under the control of the Virginia party, it served the purpose of substituting the public sentiment of the English people in place of royal despotism in the colonial policy of England. It had acted a noble and patriotic part. It had confirmed to the Colony the priceless and irrevocable gift of representative government, and had given to the English people a lesson and an example. Its dissolution left the people of England to profit by the lesson, and the

people of Virginia to guard the gift. How well the English people learned the lesson may be read in the history of the Stuarts. The sagacity, firmness, and boldness with which the Virginians guarded the gift, excites the admiration and gratitude of posterity.

The temper of the colonists was subjected to an immediate test. The crafty King had sent a commission to Virginia, consisting of Sir John Harvey, afterwards a royal governor, Mr. Samuel Matthews and John Pory. It is to be regretted that the name of John Pory is found in such company, for he had been Secretary of the Colony under Yardley, and the *ex-officio* Speaker of the first Assembly. He had now been brought over to the royal interest. These commissioners were sent to investigate the condition of the Colony. They had, also, a secret mission. They were instructed to procure by promises, threats or artifice, from the House of Burgesses an expression of approval of the King's policy, a petition for the dissolution of the London Company, and a surrender of the Yardley charter and the subsequent constitution.

The commissioners found to their surprise and

chagrin, that the colonists were too firm and wary to be cajoled. Instead of the compliance expected of them, the House of Burgesses sent by a messenger of their own a protest against the proceedings of the King, a defense of the London Company, and a refusal to surrender either the Yardley charter or the constitution.

The King now entered upon the task of framing a system of government for Virginia, in accordance with the purpose which he had previously announced to Parliament, as follows: "That he would hereafter take the affairs of the Virginia Company into his own serious consideration and care; and that, by the next Parliament, they would all see that he would make it one of his *masterpieces*." Death, however, interrupted his plans, and spoiled the "*masterpiece*."

When Charles I. ascended the throne of his father, March 27, 1625, he manifested indifference to the political questions relating to Virginia, and seemed to be interested only in measures of securing a revenue from the industries of the colonists. He seemed not to comprehend the principles involved in the contest, and showed some desire for popularity.

Now came the second triumph of the "Father of Representative Government" in America. Sir George Yardley was recalled from retirement, and as a love-offering from the King to the colonists, he was appointed Governor-General of Virginia. His commission was dated April 19, 1626, being the seventh anniversary of his former entrance upon office. This commission conferred on him the unusual power of filling by his own appointment, all vacancies existing in the "Counsell of Estate." He entered upon the duties May 17, 1626, and continued in office until his death. The early historians who recorded the events of this period did not seem to comprehend the significance of the "First Legislative Assembly." They ignored the important part taken by Yardley, and the love which was felt to him by the colonists. Posterity sympathizes with the colonists, and accords to Yardley his rightful place in history.

We close this sketch with a quotation from Bancroft: "The re-appointment of Yardley was in itself a guarantee that representative government would be maintained; for it was Yardley who had introduced the system.

“Virginia rose rapidly in public esteem; in 1627 a thousand immigrants arrived, and there was an increasing demand upon the products of the soil.

“In November, 1627, the career of Yardley was closed by death. The colonists in a letter to the privy council, gave a eulogy on his virtues. Posterity retains a grateful recollection of the man who first convened a representative assembly in the Western Hemisphere.”

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